



Gmu 3629

BAKER BOTTS LLP

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/593,785
Filing Date	June 14, 2000
First Named Inventor	Thomas Shreiner et al.
Group Art Unit	3629
Examiner Name	Chi Q. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number AP32438 - 070121.0425

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below)

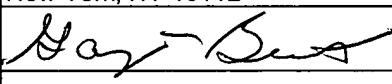
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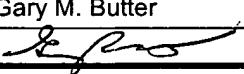
TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112		
Signature	 Att Name: Gary M. Butter PTO Reg: 33,841		
Date	January 21, 2003		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: January 21, 2003

Typed or printed name	Gary M. Butter		
Signature		Date	January 21, 2003



BAKER BOTTS LLP

Attorney Docket Number: AP32438 - 070121.0425

Title: EXPANSION JOINT COVER WITH MODULAR CENTER PLATE

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Use Space Below for Additional Information:

BAKER BOTTS LLP.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0)

Complete if Known

Application Number	09/593,785
Filing Date	June 14, 2000
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Examiner Name	Chi Q. Nguyen
Art Unit	3629
Attorney Docket No.	AP32438 - 070121.0

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METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee required under 37CFR 1.16 and 1.17
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20	- 20 =	0	X 0	=	0
Independent Claims	2	- 3 =	0	X 0	=	0
Multiple Dependent						

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$0)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

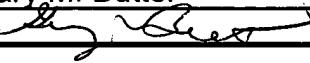
Fee Description

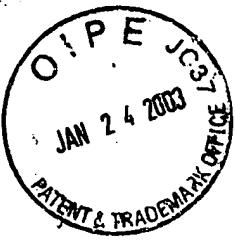
Fee Paid

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FEE CALCULATION (continued) JAN 31 2003

(Complete if applicable)

Name (Print/Type)	Gary M. Butter	Registration No. (Attorney/Agent)	33,841	Telephone	212 408-2546
Signature			Date	January 21, 2003	



FILE NO. AP32438 - 070121.0425
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas Shreiner et al.

Serial No. : 09/593,785 Examiner : Chi Q. Nguyen

Filed : June 14, 2000 Group Art Unit: 3629

For : EXPANSION JOINT COVER WITH MODULAR CENTER PLATE

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AMENDMENT

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

January 21, 2003

Date of Deposit

Gary M. Butter

Attorney Name

33,841

PTO Registration No

Gary M. Butter

Signature

January 21, 2003

Date of Signature

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In the Office Action dated December 20, 2002, the Examiner required Applicants to elect a single disclosed species for prosecution on the merits. The Examiner has identified five species:

Species number 1: Fig. 3

Species number 2: Fig. 8

Species number 3: Fig. 10

Species number 4: Fig. 12

Species number 5: Fig. 14

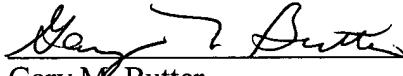
Applicants provisionally elect, with traverse, species number 2 illustrated in Fig. 8 as part of the above-referenced application. Claims 1-5, 8-10, 13-16 and 19-20 read on the embodiment illustrated in Fig. 8.

It is Applicant's view that at least independent claims 1 and 13 are generic to the species identified by the Examiner. Each of the five species illustrates a different shape for the claimed formed members. However, neither claim 1 nor claim 13 is limited to a specific shape. Thus, claims 1 and 13 are believed to be generic to the five species.

Please cancel claims 6, 7, 11, 12, 17 and 18 without prejudice to reinstate these claims if a generic claim such as presently pending claim 1 or 13 is allowed.

Applicant does not believe that any fee is required in connection with the submission of this Amendment. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit.

Respectfully submitted,



Gary M. Butter
PTO Reg. No. 33,841
Attorney for Applicant
(212) 408-2546